

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD T. KENNEDY,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
EQUIFAX, INC., <i>et al.</i> ,	:	NO. 18-214
Defendants.	:	

ORDER

AND NOW, this 27th day of March, 2019, upon consideration of all pending motions in this matter, as well as all responses and replies thereto, it is hereby **ORDERED** as follows:

1. Plaintiff's Motion for Recusal (Docket No. 64) is **DENIED**¹;
2. The Motion to Dismiss of Defendant, Richard Smith (Docket No. 25) is **GRANTED**;
3. The Motion to Dismiss of Defendant Equifax, Inc., (Docket No. 26) is **GRANTED**;
4. The Motion to Dismiss of Defendant, American Bankers Insurance Company of Florida (Docket No. 57), is **GRANTED**;
5. The Motion to Dismiss of Defendant, Barbara Lopez (Docket No. 58) is **GRANTED**;

¹ Kennedy moves for my recusal under 28 U.S.C § 455(a), which allows a party to seek recusal of a federal judge on the basis of bias and prejudice and "requires a judge to recuse where his or her impartiality might reasonably be questioned." *Mina v. Chester County*, 2015 WL 6550543, at *6 (E.D. Pa. 2015); *see also Petrossian v. Cole*, 613 Fed.Appx. 109, 112 (3d Cir. 2015). While the statute mandates recusal if the judge's impartiality might reasonably be questioned, "a party's displeasure with legal ruling does not form an adequate basis for recusal." *Id.* (citing *Securacomm Consulting, Inc. v. Securacom Inc.*, 224 F.3d 273, 278 (3d Cir. 2000)). Further, "recusal is not required on the grounds of unsupported, irrational, or highly tenuous speculation." *Id.* (citing *In re Kokinda*, 581 Fed.Appx. 160, 161 (3d Cir. 2014)). Kennedy's motion for recusal and memorandum in support fail to set forth any basis whatsoever for my requested recusal. Accordingly, his motion is denied.

6. The Motion to Dismiss of Defendant, Steven Craig LeMasters (Docket No. 59), is **GRANTED**;
7. Plaintiff's Motion for Summary Judgment (Docket No. 65) is **DENIED**;
8. The Amended Complaint is **DISMISSED** with prejudice; and
9. The Clerk of Court shall close this case.

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.